

SIX MONTHS, OR BOTH.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 661(b) of the Code. The last sentence is proposed for deletion in light of section 7-516(c). The only other changes made are in style.

(B) PENALTIES FOR OPEN-PIT MINING WITHOUT PERMIT.—ANY OPERATOR WHO MINES COAL BY THE OPEN-PIT MINING METHOD WITHOUT HAVING RECEIVED A PERMIT, AS PROVIDED IN THIS SUBTITLE, WHO MINES COAL BY THE OPEN-PIT MINING METHOD WITHOUT SECURING AN AMENDED PERMIT, WHO MINES COAL BY THE OPEN-PIT MINING METHOD WITHOUT FURNISHING THE PROPER BOND REQUIRED BY THIS SUBTITLE, WHO KNOWINGLY OR INTENTIONALLY INCLUDES FALSE INFORMATION IN THE APPLICATION FOR A PERMIT, OR WHO DOES NOT FULLY COMPLY WITH EVERY PROVISION AND REQUIREMENT OF THE PERMIT, IS GUILTY OF A MISDEMEANOR, AND UPON CONVICTION, IS SUBJECT TO A FINE OF NOT LESS THAN \$500 NOR MORE THAN \$5,000.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 671 of the Code. See the note following subsection (e). The only other changes made are in style.

(C) PENALTY FOR OPEN-PIT OR STRIP MINING ON STATE LAND WITHOUT A PERMIT.—ANY PERSON WHO MINES COAL BY THE OPEN-PIT OR STRIP METHOD ON ANY LAND THE STATE OWNS IN VIOLATION OF §7-505 OF THIS SUBTITLE WITHOUT A PERMIT THE BUREAU ISSUES IS GUILTY OF A MISDEMEANOR AND UPON CONVICTION IS SUBJECT TO A FINE OF NOT LESS THAN \$1,000 AND NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING TWO YEARS, OR BOTH. A SEPARATE OFFENSE SHALL EXIST FOR EACH DAY A VIOLATION OCCURS.

IN ADDITION TO ANY FINE IMPOSED, EVERY PERSON CONVICTED OF VIOLATING §7-505 SHALL PAY THE DIRECTOR A SUM SUFFICIENT TO RECLAIM THE AREA MINED.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 662(A-1) paragraphs (2) and (3). It was added by chapter 355, Acts of 1972. It is made a part of this proposed section for organization purposes to set forth all penalty provisions of the subtitle in one place.

The scope of the language of paragraph (2) as enacted appears to apply its penal